

**PATENT APPLICATION**

**Docket No.: 12562/5**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICATION NO. : TO BE ASSIGNED  
APPLICANTS : John J. PORTER et al.  
FILED : HERewith  
TC/ART UNIT : 3751 (Anticipated)  
EXAMINER : KATHLEEN J. PRUNNER (Anticipated)  
DOCKET NO. : 12562/5  
CUSTOMER NO. : 23838  
FOR : BREATH FRESHENER WITH MOUTHWASH  
ATOMIZER

**INFORMATION DISCLOSURE STATEMENT**

U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The paragraphs marked below are applicable.

☒ 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date or the date of filing a CPA, OR (b) before the mailing date of a first Office Action on the merits in the present application. No certification or fee is required.

☐ 2. This Information Disclosure Statement is being filed with a Request for Continued Examination (RCE). No certification or fee is required.

☐ 3. This Information Disclosure Statement is being filed after the mailing date of a final action, Notice of Allowance or an action that otherwise closes prosecution, but before payment of the Issue Fee. Applicant(s) hereby request(s) that the Information Disclosure Statement be considered. Please debit Deposit Account No. 11-0600 in the amount of \$180.00 in payment of the petition fee under 37 CFR §1.17(p) to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached.

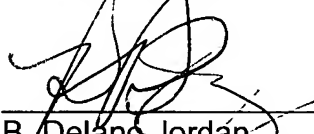
☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in any counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

■ 4. The reference(s) was/were cited by or submitted on November 22, 2002 and February 12, 2003 to the Office in parent application No.10/301,785, which is relied upon for an earlier filing date under 35 U.S.C. §120. Thus, copies of these references are not attached. 37 CFR §1.98(d).

Respectfully submitted,

KENYON & KENYON

  
\_\_\_\_\_  
B. Delano Jordan  
Registration No. 43,698

Date: 10/7/03

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*(use as many sheets as necessary)*

Sheet	1	of	7
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Filing Date	HEREWITH
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First Named Inventor	John J. PORTER et al.
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Group Art Unit	TO BE ASSIGNED
1. The Art of the Cave	
2. The Art of the Ancient World	
3. The Art of the Middle Ages	
4. The Art of the Renaissance	
5. The Art of the Baroque	
6. The Art of the 18th Century	
7. The Art of the 19th Century	
8. The Art of the 20th Century	
9. The Art of the Future	

Examiner Name	Not Yet Assigned
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Attorney Docket Number	12562/5
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Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number – Kind Code <sup>2</sup> (if known)			
		5,020,694	06-04-91	Pettengill	
		5,988,444	11-23-99	Williams et al.	
		6,357,449	03-19-02	Chu et al.	
		6,230,935	05-15-01	Mack et al.	
		6,214,321	04-10-01	Lee et al.	
		6,186,363	02-13-01	Keller et al.	
		6,161,729	12-19-00	Gentile et al.	
		6,145,513	11-14-00	Chu et al.	
		6,120,754	09-19-00	Lee et al.	
		6,083,528	07-04-00	Elliesen et al.	
		6,039,216	03-21-00	Cummings	
		6,039,215	03-21-00	Bell	
		6,036,391	03-14-00	Holliday et al.	
		6,036,057	03-14-00	Poutiatine	
		D416,112	11-02-99	Holliday et al.	
		D415,413	10-19-99	Cummings	
		5,954,231	09-21-99	Durliat et al.	
		5,950,873	09-14-99	Williams et al.	
		5,947,335	09-07-99	Milio et al.	
		5,941,420	08-24-99	Connan	
		5,939,052	08-17-99	White, Jr., et al.	

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**Examiner  
Signature**

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.

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Sheet

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Of

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**Complete if Known**

Application Number

TO BE ASSIGNED5

Filing Date

HEREWITH

First Named Inventor

John J. PORTER et al.

Group Art Unit

TO BE ASSIGNED

**Examiner Name**

Not Yet Assigned

Attorney Docket Number

12562/5

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		US- 5,924,600	07-20-99	Keller	
		US- 5,922,349	07-13-99	Elliesen, et al.	
		US- 5,902,568	05-11-99	Ryles, et al.	
		US- 5,899,361	05-04-99	Durlat, et al.	
		US- 5,899,360	05-04-99	Mack, et al.	
		US- 5,897,539	04/27/99	Elliesen, et al.	
		US- 5,881,921	03-16-99	Seager, et al.	
		US- 5,881,920	03-16-99	Seager, et al.	
		US- 5,873,494	02-23-99	Dallas, Jr.	
		US- 5,871,124	02-16-99	Wilkinson	
		US- 5,862,951	01-26-99	Gruenbacher, et al.	
		US- 5,855,875	01-05-99	Williams, et al.	
		US- 5,849,241	12-15-98	Connan	
		US- 5,842,604	12-01-98	Stahley, et al.	
		US- 5,826,751	10-27-98	Stahley, et al.	
		US- 5,814,303	09-29-98	Williams, et al.	
		US- D396,588	08-04-98	Mack, et al.	
		US- 5,782,384	07-21-98	Mejia Mustafa, et al.	
		US- 5,775,386	07-07-98	Connan	

## FOREIGN PATENT DOCUMENTS

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Examiner  
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Considered

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Sheet	3	Of	7
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**Complete if Known**

Application Number	TO BE ASSIGNED
Filing Date	HEREWITH
First Named Inventor	John J. PORTER et al.
Group Art Unit	TO BE ASSIGNED
Examiner Name	Not Yet Assigned
Attorney Docket Number	12562/5

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		US- 5,756,073	05-26-98	Miller, et al.	
		US- 5,699,935	12-23-97	Stahley	
		US- 5,690,913	11-25-97	Hsu, et al.	
		US- 5,665,332	09-09-97	Mundschenk, et al.	
		US- 5,645,193	07-08-97	Gentile, et al.	
		US- 5,616,313	04-01-97	Williams, et al.	
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		US- 5,238,151	08-24-93	Weinstein	
		US- 5,236,108	08-17-93	House	
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		US- 5,837,167	11-17-98	Lederer	
		US- 5,692,648	12-02-97	Su	
		US- 5,657,930	08-19-97	Battegazzore	
		US- 5,312,046	05-17-94	Knoch, et al.	

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Sheet 4 of 7

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		US- 5,104,004	04-14-92	von Schuckmann	
		US- 5,016,781	05-21-91	Ten Wolde	
		US- 5,002,228	03-26-91	Su	
		US- 4,938,392	07-03-90	Su	
		US- 4,842,168	06-27-89	Bougamont, et al.	
		US- 4,830,284	05-16-89	Maerte	
		US- 4,324,362	04-13-82	Stansbury, Jr.	
		US- 4,193,551	03-18-80	Saito, et al.	
		US- 4,274,173	06-23-81	Cohen	
		US- 5,323,933	06-28-94	Brakarz, et a.	
		US- 5,348,194	09-20-94	Mascitelli, et al.	
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		US- 5,560,544	10-01-96	Merritt, et al.	
		US- 5,586,694	12-24-96	Breidenbach, et al.	
		US- 4,185,776	01-29-80	Nozawa	
		US- 6,233,773	05-22-01	Karge, et al.	
		US- 4,543,679	10-01-85	Rosofsky, et al.	
		US- 6,397,858	06-04-02	Cubillo-Buron	

**FOREIGN PATENT DOCUMENTS**

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Sheet 5 of 7

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		US- 6,145,153	11-14-00	Weihrauch	
		US- 6,099,315	08-08-00	Markowitz	
		US- 5,864,915	02-02-99	Ra	
		US- 5,737,792	04-14-98	Quigless	
		US- D376,695	12-24-96	Tveras	
		US- 5,472,665	12-05-95	Rosofsky, et al.	
		US- 5,438,726	08-08-95	Leite	
		US- 5,396,679	03-14-95	Brown, et al.	
		US- 5,394,584	03-07-95	Breitschmid	
		US- 5,273,425	12-28-93	Hoagland	
		US- D337,659	07-27-93	Lacy	
		US- 5,224,234	07-06-93	Aesenault, et al.	
		US- 4,961,733	10-09-90	Joseph, et al.	
		US- 4,890,732	01-02-90	Shackelford	
		US- 4,890,349	01-02-90	Nitzsche	
		US- 4,821,752	04-18-89	Widlak	
		US- D284,528	07-08-86	Jurado	
		US- 6,349,442 B1	02-26-02	Cohen et al.	
		US- 5,465,445	11-14-95	Yeh	
		US- 5,465,444	11-14-95	Bigler et al.	

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John J. PORTER et al.

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		US- 5,435,034	07-25-95	Bigler et al.	
		US- 5,383,242	01-24-95	Bigler et al.	
		US- 5,361,446	11-08-94	Rufo	
		US- 5,353,460	10-11-94	Bauman	
		US- 5,339,476	08-23-94	Chang	
		US- 5,321,866	06-21-94	Klupt	
		US- 5,301,381	04-12-94	Klupt	
		US- 5,276,932	01-11-94	Byrd	
		US- 5,088,145	02-18-92	Whitefield	
		US- 5,186,627	02-16-93	Amit et al.	
		US- 5,845,795	07-11-89	Crawford et al.	
		US- 4,827,550	05-09-89	Graham et al.	
		US- D371,242	07-02-96	Shimatsu et al.	
		US- 5,584,593	12-17-96	Lafortune	
		US- 4,228,931	10-21-80	Ruscitti et al.	
		US- 4,783,871	11-15-88	Rich, Jr.	
		US- D426,067	06-06-00	De Melo	
		US- 4,056,110	11-01-77	Landsman	
		US- 4,467,822	08-28-84	Blackwell	
		US- 4,693,622	09-15-87	Booth	

[illegible]Date  
Considered

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.

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